

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

JUN 22 2009

Application No.	09/966,040
Filed Date	09/28/2001
First Named Inventor	Max L. Musser
Group Art	2193
Examiner Name	Jue S. Wang
Attorney Docket Number	01118

Total Number of Pages in this Submission 3

**Enclosures (check all that apply)**

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment / Response  
☐ After Final  
☐ Affidavits / Declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53  
☐ Response to Missing Parts/Incomplete Application

- ☒ Interview Summary  
☐ Drawing(s) & Letter to Official Draftsman  
☐ Licensing-related Papers  
☐ Petition to the Commissioner  
☐ Petition to Convert a Provisional Application  
☐ Power of Attorney and Change of Correspondence Address Indication Form  
☐ Terminal Disclaimer  
☐ "Fee Address" Indication Form

- ☐ After Allowance Communication to Group  
☐ Appeal Communications to Board of Appeals and Interferences  
☐ Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Return Receipt Postcard  
☐ CD, Number of CDs  
☐ Additional enclosure(s) (please identify below)

Remarks: Summary of telephone interview comprising two telephone conversations held between Examiner Wang and undersigned on June 15, 2009

**CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

Customer Number - 83727

or ☐ Correspondence address below


NAME

ADDRESS

CITY

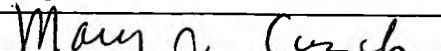
COUNTRY

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	Robert T. Canavan	Reg. #	37592
TELEPHONE	908-707-1568		
SIGNATURE		DATE	06/17/2009

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 06/17/2009

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IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**Applicant(s):** Max L. Musser et al.  
**Attorney Docket No.:** 01118  
**Application No.:** 09/966,040  
**Filing Date:** 09/28/2001  
**Examiner Name:** Jue S. Wang  
**Group Art Unit:** 2193  
**Title:** System and Method for Automated Software Distribution in a Fiber Optic Network

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTERVIEW SUMMARY**

This is a summary of a telephone interview comprising two telephone conversations held between Examiner Wang and the undersigned on June 15, 2009. The undersigned wishes thank the Examiner for her courtesy extended during the interviews.

The Examiner initiated the interview to discuss issues regarding claims 1 and 8. As to claim 1, the undersigned agreed that there is typographical error in paragraph (e) as presented. The Examiner agreed to correct the error in an Examiner's amendment adding the words "is a" after "second software."

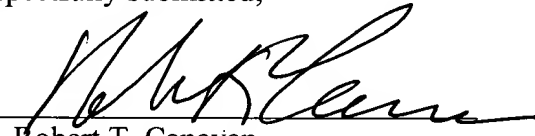
Regarding claim 8, the Examiner pointed out that the final three steps would be performed whether or not it is determined that there is a further ONU. That being the case, it was agreed that the paragraph reading "if not, then:" would be deleted, and the final three

paragraphs would be labeled with the letters (d), (e) and (f) to indicate that they are part of the claimed method.

The undersigned submits that the proposed Examiner's Amendment will place the case in condition for allowance, and requests that the Examiner issue a timely Notice of Allowance.

Respectfully submitted,

By



Robert T. Canavan

Reg. No. 37,592

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Date: 6/17/2029